THE HON'BLE SRI JUSTICE P.S.NARAYANA

WRIT PETITION NO.13511 of 2006

DATED: 04.07.2006

Between:
Koppisetti Ramakrishna and 62 others. .. PETITIONERS

Versus

The Municipal Commissioner, Pithapuram Municipality, East Godavari District and 3 others.

.. RESPONDENTS

WRIT PETITION NO.13511 of 2006

ORDER:

Heard the learned counsel.

2. The Writ Petition is filed praying for a Writ of Mandamus declaring the action of the respondents in proposing to demolish the buildings of the petitioners bearing Door Nos.13-2-112, 13-2-113, 13-2-104, 7-1-23, 8-2-65, 14-2-5, 11-1-10/d, 11-1-23a, 11-1-6, 11-1-8, 11-1-89, 14-2-13, 3-3-118, 5-2-60, 10-1-8/7, 13-1-132, 13-1-135, 13-2-134, 13-1-120, 13-2-116, 13-1-134, 13-2-127, 13-2-115, 13-2-128, 12-2-115a, 12-3-131b, 13-2-133, 12-2-115, 12-2-116, 11-2-114/b, 5-1-127, 13-1-136, 13-2-80, 13-2-108, 13-2-106, 13-2-110, 13-2-83, 13-2-119, 13-3-142, 5-2-102, 5-2-116/c, 5-2-117, 7-3-15, 7-2-49, 13-2-103, 13-2-108/a, 13-1-125a, 1-3-40, 7-3-14, 7-3-16, 14-2-11, 1-3-46a. 1-3-48, 1-3-43, 2-1-30, 2-1-29, 6-1-22, 1-1-86, 4-2-99, 3-1-98/1, 3-2-98, 7-1-2, 2-1-6, 1-1-83, 2-1-11, 2-1-14, 1-3-42, 1-1-62, 1-1-59, 1-3-47a, 2-1-3, 2-2-6d. 2-1-15, 1-4-2a, 2-1-2a and 2-1-19 respectively situated on both sides of the main road, Pithapuram, East Godavari District for widening the main road without paying any compensation nor initiating any due process of law as illegal, arbitrary, unjust and violative of Articles 14, 19, 21 and 300 A of the Constitution of India and consequently direct the respondents not to demolish the said buildings of the petitioners and pass such other suitable orders.

3. Several factual details had been narrated in the affidavit filed in support of the Writ Petition and it is stated that the respondents

marking the portions on 13.6.2006 and on 22.6.2006 the respondents completed the marking of the portions and without following due process of law, the respondents are trying to further proceed with the demolition activity.

4. It is needless to say that the respondents are duty bound to follow the due process of law before further proceeding with the demolition activity.

5. In view of the same, the Writ Petition is disposed of with a direction to the respondents not to resort to the demolition activity of the buildings in question, subject matter of the Writ Petition unless and until they follow the due process of law. No costs.

04.07.2006

SSR